

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN
GREEN BAY DIVISION

APPLETON PAPERS INC. and
NCR CORPORATION,

Plaintiffs,

v.

No. 08-CV-16-WCG

GEORGE A. WHITING PAPER
COMPANY, *et al.*,

Defendants.

**NEENAH-MENASHA SEWERAGE COMMISSION'S
ANSWER AND AFFIRMATIVE DEFENSES TO EIGHTH AMENDED COMPLAINT
OF APPLETON PAPERS INC.**

Neenah-Menasha Sewerage Commission (NMSC), by its undersigned counsel, answers Appleton Paper Inc.'s Eighth Amended Complaint and incorporates its Answer and Affirmative Defenses to the Sixth Amended Complaint, constituting its Answer and Affirmative Defenses to the Seventh Amended Complaint by stipulation and order, as follows:

**THIRD CLAIM
(Subrogation)**

1. NMSC lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 1 and therefore denies.
2. NMSC lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 2 and therefore denies.
3. NMSC lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 3 and therefore denies.
4. Upon information and belief, admits.

5. Upon information and belief, admits.
6. NMSC lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 6 and therefore denies.
7. NMSC lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 7 and therefore denies.
8. NMSC lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 8 and therefore denies.
9. Admits.
10. Admits.
11. Admits.
12. Admits.
13. NMSC lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 13 and therefore denies.
14. Paragraph 14 contains a legal conclusion to which no response is required. To the extent a response is required, NMSC lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 14 and therefore denies.
15. Paragraph 15 contains a legal conclusion to which no response is required. To the extent a response is required, NMSC lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 15 and therefore denies.
16. Paragraph 16 contains a legal conclusion to which no response is required.

AFFIRMATIVE DEFENSES

1. NMSC incorporates all affirmative defenses set forth in NMSC's Answer and Affirmative Defenses to the Sixth Amended Complaint, constituting its Answer and Affirmative Defenses to the Seventh Amended Complaint by stipulation and order.

Dated: October 17, 2012.

s/ William J. Mulligan

William J. Mulligan (WI Bar No. 1008465)

Kevin J. Lyons (WI Bar No. 1013826)

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